

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION

CASE NO.: 16-03686-5-SWH  
CHAPTER 13

IN RE:  
KING DAN RIVES  
MARYDEL HART RIVES  
6900 N HAIRPIN DR  
QUINTION, VA 23141

DEBTORS

**TRUSTEE'S MOTION TO DISMISS**

The undersigned Chapter 13 Trustee hereby moves the Court to dismiss the above-referenced case for the reason(s) set forth below:

1. The Debtors are delinquent in the amount of \$1,374.00 or 3.98 payments.

Based upon the foregoing, **and such other cause as may become apparent or arise between the date of this Motion and the date of any hearing hereon, of which the Trustee will advise counsel prior to the hearing, there is cause to dismiss this case under §1307(c).**

**The Debtors are hereby notified** that unless a written response and request for hearing (if a hearing is desired) is filed with the Court within **twenty-one (21) days** of this Motion, the Court may summarily dismiss this case without further notice.

DATED: August 16, 2017

/s/ John F. Logan

JOHN F. LOGAN

NC BAR NO. 12473

CHAPTER 13 TRUSTEE

P.O. BOX 61039

RALEIGH, NC 27661-1039

TELEPHONE: (919) 876-1355

**CERTIFICATION OF SERVICE**

This is to certify that a copy of the foregoing Trustee's Motion To Dismiss was served on the Debtors and the Attorney for the Debtors at their last known address with sufficient postage thereon, or, if such interested party is an electronic filing user, by serving such interested party by electronic transmission, pursuant to Local Rule 5005-4(9)(b).

DATED: August 16, 2017

/s/Pam Cason  
Case Administrator

**COPIES FURNISHED TO:**

**DEBTORS**

KING DAN RIVES  
MARYDEL HART RIVES  
6900 N HAIRPIN DR  
QUINTION, VA 23141

**ATTORNEY FOR DEBTORS**

ERICH M. FABRICIUS  
FABRICIUS & FABRICIUS PLLC  
PO BOX 1230  
KNIGHTDALE, NC 27545-1230